



CITY OF OAKLAND

250 FRANK H. OGAWA PLAZA • SUITE 2340 • OAKLAND, CALIFORNIA 94612-2031

Planning and Building Department

Bureau of Building

Building Permits, Inspections and Code Enforcement Services

inspectioncounter@oaklandnet.com

(510) 238-6402

FAX: (510) 238-2959

TDD: (510) 238-3254

NOTICE OF VIOLATION

2/6/18

Certified and Regular mail

To: SBMANN5 LLC
4849 E 12TH ST
OAKLAND, CA 94601

Code Enforcement Case No.: 1800409

Property: 9427 MACARTHUR BLVD

Parcel Number: 46-5488-8

Re-inspection Date/Correction Due Date: 3/14/18

Code Enforcement Services inspected your property on 1/11/18 and confirmed:

- ☒ that the violations of the Oakland Municipal Code (OMC) identified below are present and need to be addressed as specified under "Required Actions". Photographs of the violations are enclosed where applicable.
- ☐ that work was performed without permit or beyond the scope of the issued permit and you are receiving this Notice of Violation because you did not get the required permit within three (3) days of receiving the Stop Work Order. You must contact the inspector indicated below before the Re-inspection Date to stop further code enforcement action.
- ☐ Investor Owned Program - Per OMC 8.58
- ☐ Foreclosed and Defaulted Properties - Per OMC 8.54

At this point, no fees or other charges have been assessed for these violations. To stop further code enforcement action, you are advised to correct the above violations and contact Inspector **James Wimbish**, who is assigned to your case, before the re-inspection date shown above to schedule an inspection. Your inspector is available by phone at 510-238-6108 and by email at jwimbish@oaklandnet.com.

If the Property Owner Certification is included in this notice you may also complete the form and include photographs of the corrected violations.

Note: If a complaint is filed regarding the same or similar violation(s) and it is confirmed within 24 months from the date of this notice an immediate assessment of \$1,176.00 will be charged as a Repeat Violation. In addition, if violation(s) remain uncorrected after you receive a 30-day Notice of Violation, further enforcement action(s) will include additional fees.

- If you do not contact your inspector to discuss why you cannot comply or if applicable, complete the Property Owner Certification form and the re-inspection verifies that all violations have not been corrected, you may be charged for inspection and administrative costs, which can total **\$2,665.00**.
- The City may also abate the violations and charge you for the contracting and administrative costs, which can also total over **\$1,000.00**.
- Priority Lien fees in the amount of \$1,349.00 may be assessed if fees are not paid within 30 days from the date of the invoice. Charges may be collected by recording liens on your property and adding the charges to your property taxes or by filing in Small Claims Court.
- The Notice of Violation may be recorded on your property with associated fees for processing and recording.

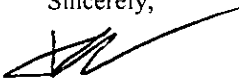
You have a right to appeal this Notice of Violation. You must complete the enclosed Appeal form and return it with supporting documentation in the enclosed envelope. If Code Enforcement Services does not receive your written Appeal within the appeal deadline dated: **March 14, 2018** you will waive your right for administrative review. *Note: Incomplete appeals including, but not limited to an oral notification of your intention to appeal, a written appeal postmarked but not received by us within the time prescribed or a written appeal received by us without a filing fee are not acceptable and will be rejected.*

Note: The appeal period may be reduced based on prior noticing i.e., Courtesy notice, Repeat Violation and the Property Owner Certification on record.

If you choose to file an appeal no further action can be taken by Code Enforcement Inspectors until you have had the opportunity to be heard by an independent Administrative Hearing Examiner pursuant to the Oakland Municipal Code Section 15.08.380 (B)(3) and a Final Decision is determined. An appeal will be scheduled within 60 days from the end of the appeal period. A filing fee in the amount of \$110.00 is due at the time of submittal. Payments may be made in person at the Bureau of Building, 250 Frank Ogawa Plaza, 2nd Floor, or by phone by calling 510-238-4774 (**Please include the receipt number and date on your appeal**). MasterCard and Visa are accepted.

Investor-Owned Residential Property OMC 8.58	Foreclosed and Defaulted OMC 8.54
<p>Administrative/Civil penalties will be Assessed for failure to abate (OMC Sections 8.24.020, 1.08.60, 1.12). Penalties may be assessed for up to 21 days at \$1,000 a day. You will be notified separately if penalties have accrued.</p> <p>Nuisance Abatement Lien (Notice of Violation) A Nuisance Abatement Lien may be filed with the Alameda County Clerk-Recorder for recordation on the property title which shall have the force, effect and priority of a Judgment Lien. The Nuisance Abatement Lien may be foreclosed by an action brought by the City of Oakland for a money judgment.</p> <p>(Priority Lien) (OMC 8.58.430) A Constructive notice of the pendency of a collection action for an Assessment to all other interested parties shall be established on the date a lien is recorded by the Alameda County Clerk-Recorder</p>	<p>Civil penalties will be Assessed for failure to abate (OMC Sections 8.24.020, 1.08.60, 1.12). Penalties may be assessed for up to 21 days at \$1,000 a day. You will be notified separately if penalties have accrued.</p> <p>(Priority Lien) (OMC 8.54.430) A Constructive notice of the pendency of a collection action for an Assessment to all other interested parties shall be established on the date a lien is recorded by the Alameda County Clerk-Recorder</p>

Sincerely,



James Wimbish
Specialty Combination Inspector
Planning and Building Department

First Fee Charged Re-Inspection Date: 3/14/18

Second Fee Charged Re-inspection Date: 3/26/18

Enclosures as applicable:

- ☒ Blight brochure
- ☒ Property Owner Certification
- ☐ Lead Paint brochure
- ☒ Photographs

- ☐ Residential Code Enforcement brochure
- ☐ Mold and Moisture brochure
- ☐ Undocumented Dwelling Units brochure
- ☐ Stop Work brochure

- ☐ Vehicular Food Vending brochure
- ☐ Pushcart Food Vending brochure
- ☐ Smoke Alarms brochure
- ☐ Condominium Conversion brochure

cc:

Administrative Hearing Fees	
Filing Fee	\$ 110.00
Conduct Appeals Hearing	Actual Cost Appeal (Fee charged only if Appellant loses appeal)
Processing Fee	\$ 931.00
Reschedule Hearing	\$ 329.00
<i>Fee Includes 9.5% Records Management Fee and 5.25% Technology Enhancement Fee</i>	

Description of Violation	Location	Required Action	OMC Section
Property Maintenance			
Unpermitted automobile and other light vehicle sales and rental in residential RU-4 Zone.	Entire lot.	Cease of automobile sales and rental in residential RU-4 Zone.	17.19.030 17.19.01 Table
Overgrown vegetation is present throughout property. Trash and debris is present throughout property.	Entire lot.	Cut back all overgrown vegetation and remove trash, and debris in an approved manner.	8.24.020 D(1)
Building Maintenance (Code)			
Zoning			



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(510) 238-6402

inspectioncounter@oaklandnet.com

PROPERTY OWNER CERTIFICATION

CORRECTED OR REMOVED VIOLATIONS

Date: 2/6/18

Property: 9401 MACARTHUR BLVD

Parcel no. 46-5488-8

Case no.: 1800409

Owner: SBMANN5 LLC

Courtesy Notice date:

Re-inspection date: 3/14/18

Return to: James Wimbish

I certify that I have corrected the following violation(s) identified in the Notice of Violation I received from the City of Oakland.

I understand that if a complaint is filed regarding the same or similar violation(s) and it is confirmed within 24 months from the date of this notice an immediate assessment of \$1,176.00 will be charged as a Repeat Violation fee. If the violation remains uncorrected after I receive a 30-day Notice of Violation further enforcement action(s) will be taken that will include additional fees.

I have corrected the following violations identified in the Notice of Violation I received from the City of Oakland:

Print Name

Date

Property Owner Signature

()

Day time telephone

E-mail

Instructions:

1. Review the property address and owner information shown at the left and make any necessary corrections.
2. If applicable, before the Re-inspection date shown at the left, complete and return this signed form with dated photographs of your property to verify the violations were removed or not present:

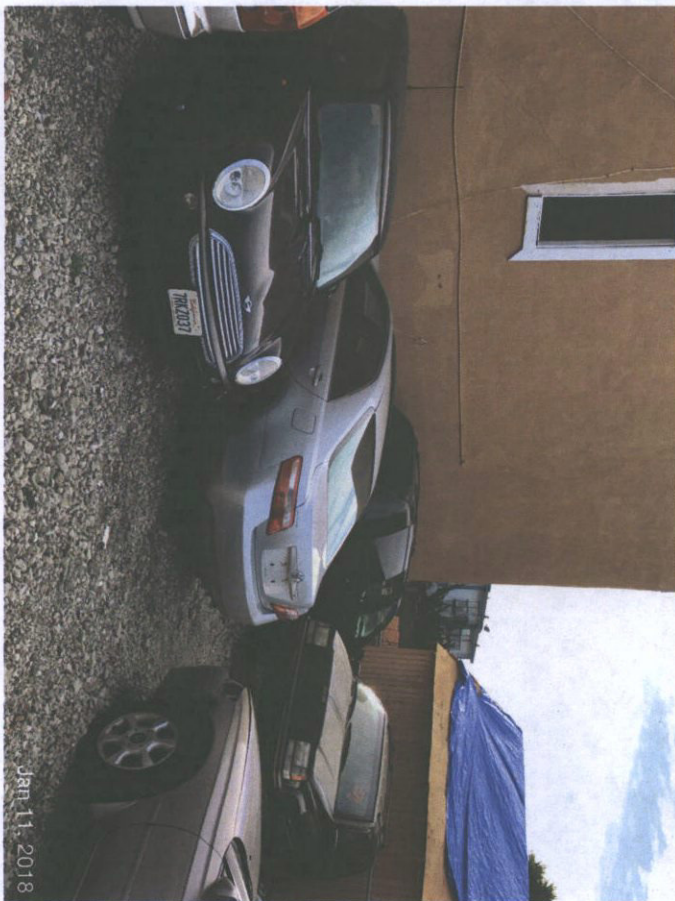
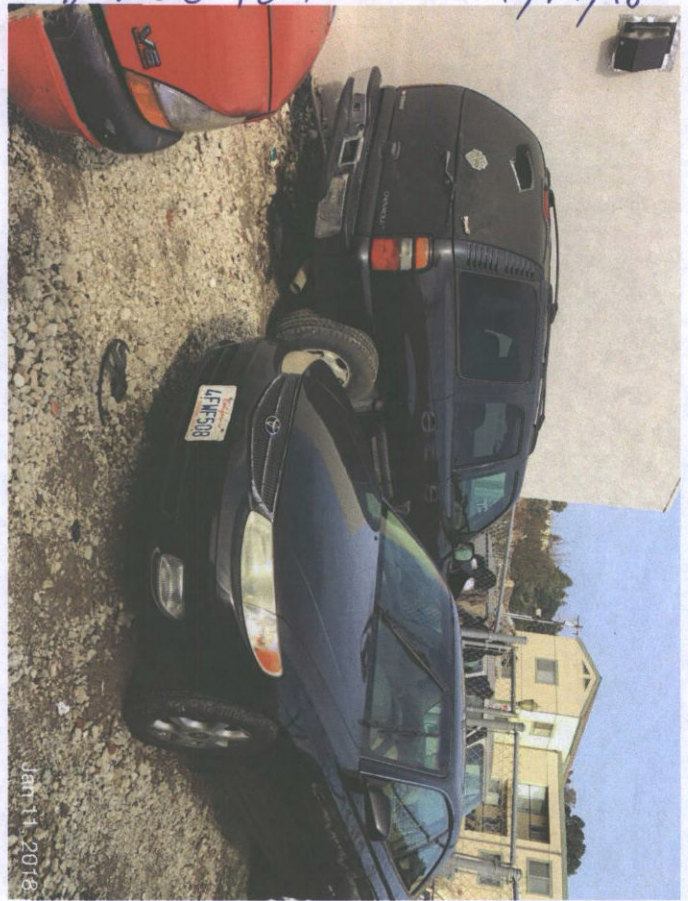
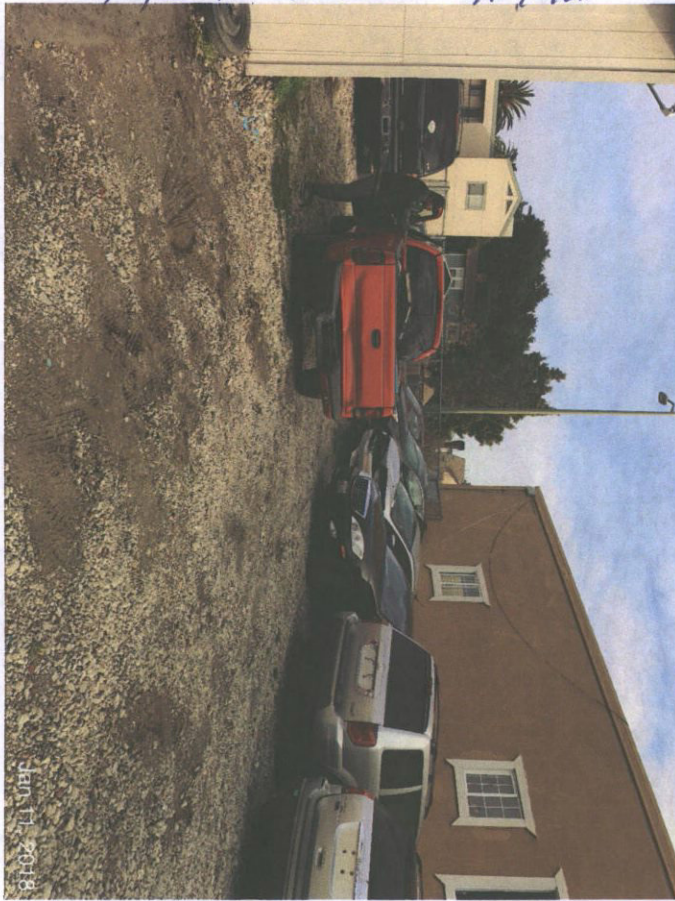
E-mail: inspectioncounter@oaklandnet.com

Facsimile: 510/238-2959

Mail: City of Oakland
Bureau of Building
250 Frank H. Ogawa Plaza Suite 2340
Oakland, CA 94612-2031
(Envelope enclosed – no postage required)

9427 Mac Arthur Blvd. #1800409

1/11/18



#1800 409

County Assessor Display

Assessor Parcel Record for APN 046- -5488-008-00

Parcel Number:	46-5488-8
Property Address:	9427 MACARTHUR BLVD, OAKLAND 94605
Owner Name:	SBMANN5 LLC
Care of:	
Attention:	
Mailing Address:	4849 E 12TH ST, OAKLAND CA 94601-5107
Use Code:	VACANT COMMERCIAL LAND (MAY INCLUDE MISC. IMPS)
Recorder Number:	2009-092267
Recorder Date:	3/30/2009
Mailing Address Effective Date:	3/30/2009
Last Document Input Date:	6/18/2009
Deactivation Date:	
Exemption Code:	

[Home](#)
[Enter Assessor Parcel Number](#)
[Property List](#)
[Assessments](#)
[Property Details](#)
[GIS Parcel Map](#)
[Alameda County Web Site](#)
[Use Codes](#)

7017 3040 0000 4250 2050

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com.

OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage \$

To \$

Se \$

Str \$

City \$

SBMANN5 LLC
4849 E 12TH ST,
OAKLAND CA 94601-5107
 1800409-ASR-2/8/18

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions